

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA,</b>	:	<b>CRIMINAL NO.</b>
	:	
	:	<b>DATE FILED:</b> _____
<b>v.</b>	:	
	:	<b>VIOLATIONS:</b>
<b>JOANNE C. MCMULLIN</b>	:	<b>18 U.S.C. § 1341 (mail fraud - 1 count)</b>
<b>MICHAEL E. MCMULLIN</b>	:	<b>18 U.S.C. § 2 (aiding and abetting)</b>
	:	<b>Notice of additional factors</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

1. From in or about May 1999 to on or about August 26, 1999, defendants

**JOANNE C. MCMULLIN and  
MICHAEL E. MCMULLIN**

and others known and unknown to the grand jury devised and intended to devise a scheme to defraud the Reliance Insurance Company and to obtain money and property by means of false and fraudulent pretenses, representations, and promises.

It was part of the scheme that:

2. In or about May 1999, defendants JOANNE C. MCMULLIN and MICHAEL E. MCMULLIN began having difficulty paying for their 1995 Ford Mustang (VIN 1FALP42T2SF155579) which the defendants leased in February 1999.

3. To escape the financial obligations associated with the vehicle lease without penalty, defendants JOANNE C. MCMULLIN and MICHAEL E. MCMULLIN gave

their vehicle up to a person known to the grand jury so that he could deliver it to a chop shop where they knew that it would be disassembled, or "chopped," and the parts sold.

4. On or about May 30, 1999, several days after defendants JOANNE C. MCMULLIN and MICHAEL E. MCMULLIN gave up their vehicle, defendant MICHAEL E. MCMULLIN, with the knowledge of defendant JOANNE C. MCMULLIN, falsely reported to the Philadelphia Police Department that the vehicle had been stolen.

5. On or about June 1, 1999, defendant MICHAEL E. MCMULLIN, with the knowledge of defendant JOANNE C. MCMULLIN, falsely reported to their insurance company, Reliance Insurance Company, that their vehicle had been stolen.

6. Defendants JOANNE C. MCMULLIN and MICHAEL E. MCMULLIN made these false reports to the police and Reliance Insurance Company, and aided and abetted the making of these false statements, knowing that this would result in Reliance paying off the financing for the vehicle.

7. On or about August 26, 1999, at Jenkintown, Pennsylvania, in the Eastern District of Pennsylvania and elsewhere, having devised and intending to devise the scheme, defendants

**JOANNE C. MCMULLIN and  
MICHAEL E. MCMULLIN,**

for the purpose of executing the scheme and attempting to do so, caused to be delivered by mail according to the directions thereon, Check No.187188 in the amount of \$10,919.58 mailed from Reliance Insurance Company, in Jenkintown, Pennsylvania, to American Suzuki Automotive Credit in Detroit, Michigan, which paid off the financing for the defendants' 1995 Ford Mustang that they had falsely reported as stolen.

In violation of Title 18, United States Code, Sections 1341 and 2.

**NOTICE OF ADDITIONAL FACTORS**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. In committing the offense charged in Count One of this indictment, the defendants MICHAEL E. MCMULLIN and JOANNE C. MCMULLIN intended cause a loss amount between \$10,000 and \$30,000, pursuant to U.S.S.G. § 2B1.1(b)(1)(C).

1. In committing the offense charged in Count One of this indictment, defendant MICHAEL E. MCMULLIN committed the instant offense while under a criminal justice sentence, that is, probation, as defined by U.S.S.G. § 4A1.1(d).

2. In committing the offense charged in Count One of this indictment, defendant MICHAEL E. MCMULLIN committed the instant offense within ten years of a previous sentence, as defined by U.S.S.G. § 4A1.2(e)(2).

**A TRUE BILL:**

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**FOREPERSON**

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**PATRICK L. MEEHAN**  
**United States Attorney**